

ARTICLE II, NON-SUBURBAN DISTRICT REGULATIONS

DIVISION A: RURAL DISTRICTS

Section 2-100 AR-1 Agricultural Rural-1

2-101 Purpose and Intent. The purpose and intent of the AR-1 district is to:

- (A) Support the ~~primary~~ use of land for rural economy uses, with residential uses allowed ~~secondarily in a form and context that is at densities~~ consistent with the general open and rural character of the rural economy uses.
- (B) Allow for a broad range of rural economy uses, including ~~traditional and new agricultural uses (agriculture, horticulture and animal husbandry), agriculture support and basic services directly associated with on-going agricultural activities, and other low impact non-rural~~ uses that can be developed in ways ~~that are~~ consistent with the rural character of the AR-1 district rural economy uses through mitigation or other standards.
- (C) Recognize the County's tourism industry is interconnected with the rural economy and rural economy uses in the district by allowing for tourism uses related to ~~traditional and new~~ agricultural uses, conference and training center uses, and rural activity and special event uses ~~for tourists related to the traditional and new agricultural uses.~~
- (D) ~~Promote~~ Ensure consistency between that residential development ~~and is consistent with the open character of the rural economy uses through~~ lower by requiring either very low density residential development or the clustering of residential development in ways that are harmonious with rural economy uses and that preserve the general rural character of the district.
- (E) ~~Ensure that development is designed and located in ways that are consistent with conservation design principles and protects and maintains primary conservation areas and secondary conservation areas in ways that are consistent with the development of rural economy uses and the general rural character of the district.~~
- (F) Ensure that the rural economy uses are compatible with any existing permitted residential development.

2-102 Use Regulations. Table 2-102 summarizes the principal use regulations of the AR-1 district.

- (A) **Organization of Use Table.** Table 2-102 organizes the uses in the AR-1 district by Use Classifications, Use Categories and Use Types.

- (1) **Use Classifications.** The Use Classifications are: agricultural uses; residential uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications ~~provide a systematic basis for assigning present and future~~ land uses into broad general classifications (e.g., agricultural uses and residential uses). The Use Classifications then organize land uses and activities into general "Use Categories" and specific "Use Types" based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.
- (2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classification, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.
- (3) **Use Types.** The Use Categories ~~are then~~ divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings, multi-family dwellings and town houses are Use Types in the Household Living Use Category.
- (B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types listed in Table 2-102 are defined in Article VIII (Definitions).
- (C) **Permitted and Special Exception Uses.** A "P" in the column identified "AR-1" indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the AR-1 district, subject to compliance with all applicable standards and regulations in this Ordinance and all other County ordinances. An "S" indicates that a Use Type is allowed in the AR-1 district as a special exception in accordance with the procedures and standards of Section 6-1300. An "M" indicates that a Use Type is allowed in the AR-1 district as a minor special exception in accordance with the procedures and standards of Section 6-1300. In some instances, and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be permitted as a matter of right under certain conditions or allowed as a special exception or minor special exception under other conditions. In those instances, it is identified as "P/S" or "P/M," as appropriate.
- (D) **Reference to General Use Category.** References to "General Use Category" under the Use Type column, means all of the uses in the Use Category are allowed. The Use Category is defined in Article VIII. Where

specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Types are defined in Article VIII.

- (E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-102 (AR-1 District Use Table) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the "Additional Regulations for Specific Uses" in Section 5-600.

TABLE 2-102: AR-1 AGRICULTURAL/RURAL 1 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626
Horticulture	General Use Category	P	Section 5-626
Animal Husbandry	General Use Category	P	Section 5-626
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Agricultural processing	P	Section 5-627
	Agri-education	P	Section 5-627
	Animal care business	P	Section 5-627
	Agritainment	P	Section 5-627
	Commercial winery with 20,000 square feet or less	P	Section 5-625
	Commercial winery, over 20,000 square feet	S	Section 5-625
	Custom operators	P	Section 5-627
	Direct market business for sale of products produced on-site – including but not limited to PYO (pick-your-own)	P	Section 5-627
	Equestrian facilities	P	Section 5-627
	Farm based tourism	P	Section 5-628
	Farm co-ops	P	Section 5-627

TABLE 2-102:
 ARL AGRICULTURAL RURAL 1 DISTRICT USE TABLE
 P PERMITTED S SPECIAL EXCEPTION M MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	ARL DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Farm machinery repair	P	Section 5-627
	Farm markets	P	Section 5-603
	Feedlot (for on-going, on-site animal husbandry activities)	P	Section 5-627
	Nursery, commercial	S	Section 5-605
	Nursery, production	P	Section 5-605
	Pet farms	P	Section 5-627
	Restaurant	P	Section 5-627
	Sawmill	S	Section 5-629
	Stables	P	Section 5-627
	Veterinary services	P	
	Virginia Farm Winery	P	
	Wayside stand	P	Section 5-604
	Wetlands mitigation bank	P	Section 5-627
Agriculture Support and Services Not Directly Associated with On-Site Agricultural Activity	Agricultural research facility	P	Section 5-644
	Animal care businesses	P	Section 5-630
	Central farm distribution hub for agricultural products	P	Section 5-630
	Commercial winery with 20,000 square feet or less	P	Section 5-625
	Commercial winery, over 20,000 square feet	S	Section 5-625
	Equestrian facility	P	Section 5-630
	Equestrian facility, on lots of less than 50 acres or without frontage on state maintained road	M	Section 5-630
	Farm machinery repair	P	Section 5-630

TABLE 2-102:
 ARL AGRICULTURAL/RURAL USE TABLE
 P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	ARL DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Farm machinery sales, rental and service	P	Section 5-615
	Mill feed and farm supply center	P	Section 5-630
	Nursery, commercial	S	Section 5-605
	Stable, neighborhood, on lots of 25 acres or more, <u>and with</u> or frontage on state maintained road	P	Section 5-630
	Stable, neighborhood, on lots of less than 25 acres or without frontage on state maintained road	M	Section 5-630
	Stable, private	P	Section 5-630
Animal Services	Animal hospital	P	Section 5-631
	Kennel	M	Section 5-606
	Kennel, Indoor	P	Section 5-606
RESIDENTIAL USES			
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Caretaker's residence (accessory to single family detached dwelling)	P	
	Dwelling, single-family detached, including manufactured housing	P	May use AR District Cluster Option. See Sections 2-104 and 5-703.
	Guest house (accessory to single family detached dwelling)	P	Section 5-612
	Home occupation (accessory to single family detached dwelling)	P	Section 5-400
	Portable Dwelling/Trailer Construction	P	

TABLE 2-102:
 ARL AGRICULTURAL/RURAL 1 DISTRICT USE TABLE
 P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	ARL DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Group Living	Co-housing	P	
	Convent or monastery	P/S	Section 5-656
	Dormitory, seasonal labor	M	Section 5-632
	Rooming house	P	
	Tenant dwelling	P	Section 5-602
	Tenant dwelling, seasonal labor	P	Section 5-602(C)
PUBLIC AND INSTITUTIONAL USES			
Aviation	Airport/landing strip	S	Section 5-633
Day Care Facilities	Child care home	P	Section 5-609(A)
	Child or adult day care center	S	Section 5-609(B)
Cultural and Government Facilities	Agricultural cultural center	S	Section 5-634
	Fairground	S	Section 5-635
	Structures or uses for local government purposes not otherwise listed in the district	S	
Education	School (elementary, middle, or high)	S	
	Vocational school	S	
Park and Open Space	Arboretum	P	Section 5-636
	Botanical garden or nature study area	P	Section 5-636
	Cemetery	S	Section 5-637
	Mausoleum	S	Section 5-637
	Crematorium	S	Section 5-637
	Community, neighborhood, or regional park, passive recreational uses	P	

TABLE 2-102:
 ARI AGRICULTURAL/RURAL DISTRICT USE TABLE
 P = PERMITTED S = SPECIAL EXCEPTIONAL MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	ARI DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Community, neighborhood, or regional park, active recreational uses	S	
Public Safety	Fire and/or rescue station	P	Section 5-638
	Police station or substation	P	Section 5-638
Religious Assembly	Church, synagogue, temple or mosque, with seating capacity of 300 or less seats in sanctuary or main activity area	P	Section 5-639
	Church, synagogue, temple or mosque, with seating capacity of more than 300 in sanctuary or main activity area, or accessory schools, day care centers with more than 30 50 children, recreational facilities	S	Section 5-639
Utility	General Use Category	P	Recycling drop-off collection center, public: Section 5-607 Utility substation, transmission: Section 5-616(A) Utility substation, distribution: Section 5-616(B)
	Sewage Treatment Plant	S	Section 5-621
	Sewer Pumping Station	P	Section 5-621
	Water Storage Tank	S	Section 5-621
	Water Treatment Plant	S	Section 5-621
	Water Pumping Station	P	Section 5-621
	Utility transmission lines, overhead (excluding connections of lines from existing overhead public utility transmission lines to individual uses)	S	Unless excepted by Section 1-103(D)
COMMERCIAL USES			
Conference and Training Centers	Conference and training centers	P/M	Section 5-640
	Rural agricultural corporate retreat	P	Section 5-619

TABLE 2-102:
 ARTICLE AGRICULTURAL RURAL USE TABLE
 P PERMITTED S SPECIAL EXCEPTION M MINOR SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	ARTICLE DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Rural Resort	P	Section 5-601(D)
	Rural Retreat	P	Section 5-601(D)
Food and Beverage	Teahouse; coffeehouse	P	Section 5-641
	Banquet facility	M	Section 5-642
	Restaurant	M	Section 5-643
Office	Educational or research facilities use related to the agriculture, horticulture and animal husbandry uses in the district	M	Section 5-644
Recreation and Entertainment	Camp, day and boarding, with 30 or fewer campers	P	Section 5-645
	Camp, day and boarding, with more than 30 campers	M	Section 5-645
	Campground	M	Section 5-646
	Cross country ski business	P	Section 5-647
	Eco-tourism	P	Section 5-647
	Golf course	S	Section 5-648
	Outdoor amphitheater	S	Section 5-649
	Rural recreational establishment, outdoor	P	
Retail Sales and Service	Antique shop	P	Section 5-650
	Art gallery or art studio	P	Section 5-650
	Auction house	S	Section 5-651
	Craft shop	P	Section 5-650
	Small business	P/M	Section 5-614
Visitor Accommodation	Bed and breakfast, home stay	P/M	Section 5-601(A)

TABLE 2-102:
AR-1 AGRICULTURAL/RURAL-1 DISTRICT USE TABLE
P = PERMITTED S = SPECIAL EXCEPTION M = MINOR SPECIAL EXCEPTION

USE CATEGORY		USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
		Bed and breakfast inn	P/M	Section 5-601(B)
		Country inn	M	Section 5-601(C)
		Guest farm or ranch leasing up to 20 guest rooms	P	
INDUSTRIAL USES				
Telecommunication Use and/or Structure		Radio and/or television tower	S	Section 5-618
		Telecommunications antenna	P	Section 5-618(A)
		Telecommunications monopole	P	Section 5-618(B)(1)
		Telecommunications monopole	S	Section 5-618(B)(2)
		Telecommunications transmission tower	S	Section 5-618(C)(2)
Waste-Related Uses		Y ard waste and/or vegetative W aste Management compost Facility	M	<u>(Grant of a special exception does not avoid requirements of Chapter 1080, Codified Ordinances of Loudoun County, or any other applicable law.)</u>
		Yard Waste Composting Facility	S	<u>(Grant of a special exception does not avoid requirements of Chapter 1080, Codified Ordinances of Loudoun County, or any other applicable law.)</u>
		Stockpiling of dirt	S	Section 5-657

2-103 Lot and Building Requirements. Table 2-103 identifies the lot and building requirements that apply to all development in the AR-1 district, except where (i) a different standard is provided in Sections 2-105 and 5-703 for land developed under the AR District Cluster Option; pursuant to Section 2-104 and Section 5-703; or (ii) unless the performance standards in Section 5-600 (Additional Regulations for Specific Uses) specify different requirements for a particular use.

TABLE 2-103
APPLICABLE LOT AND BUILDING REQUIREMENTS
(EXCEPT DEVELOPMENT UNDER AR DISTRICT CLUSTER OPTION)

Minimum Lot Size	20 acres; Two (2) acre minimum for spinoff subdivision lots.
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TABLE 2-103 MINIMUM LOT SIZE AND BUILDING HEIGHTS (EXCEPT DEVELOPMENT UNDER AR DISTRICT CESTER OPTION)	
Minimum Lot Width	200 feet on paved roads; 50 feet on unpaved roads
Minimum Yards	No building shall be located within 25 feet of any property line nor within 100 feet from the right-of-way of any arterial road, 75 feet from the right-of-way of any collector road, and 35 feet from any other road right-of-way, private access easement, and any prescriptive easement.
Maximum Lot Coverage	8% maximum, based on gross acreage.
Maximum Building Height	35 feet. No restriction for buildings used exclusively for agriculture, horticulture and animal husbandry.
Lot Access	<p>Access to individual lot provided by privately owned and maintained travelway which shall either be:</p> <ul style="list-style-type: none"> ○ A private access easement that complies with the requirements of Chapter 4: Transportation of the Facilities Standards Manual; or ○ A private lane that: <ul style="list-style-type: none"> ■ Is within a 24' private easement; ■ Is at least 12' in width; ■ If paved, is 2" over a 4" base; ■ If gravel is 6"; and ■ Has a minimum grade of 10% with a minimum 30' centerline curve radius. ○ Private access easement or private lane may serve as frontage in-lieu of public road frontage up to 25 lots. <p>Plat of division shall contain a note and provide for maintenance of private access easement or private lane.</p>

2-104 Landowner Subdivision Options~~AR-1 Cluster Option.~~ The AR-1 Zoning District is intended to provide landowners with simple and flexible options of subdivision at lower densities of development. Landowners may choose the following subdivision options.

(A) Simple Subdivision: A simple subdivision is a division of land in which all of the resulting parcels are at or in excess of the twenty (20) acre minimum lot size of the AR-1 District. Thus, the minimum parcel size of land for a simple subdivision is forty (40) acres. Lots created under the Simple Subdivision process have the following characteristics:

- (1) Lots created by simple subdivision may be further subdivided under either spinoff subdivision or cluster subdivision as provided below.
- (2) Homeowners association permitted but not required.
- (3) No open space easement on either the Parent Tract or any spinoff lot is required, and no minimum open space requirements must be met, for a simple subdivision.

(4) The requirements of Table 2-103 apply to all lots created by a simple subdivision.

(B) Spinoff Subdivision: A spinoff subdivision is a division of land in which a parcel of land is designated as the "Parent" tract for purposes of establishing a base density of development for such tract, from which lots can be subdivided at higher densities and with smaller minimum lot sizes than are available under a simple subdivision. The intent is to provide the landowner with flexibility to create one or more lots at a given time, at smaller lot sizes but at densities of one lot per ten (10) acres of gross land area, provided that in no event shall the ultimate resulting size of the parent tract be less than fifteen (15) acres. Thus, the minimum parcel size of land for a spinoff subdivision is twenty (20) acres, because the density of the resulting parcels must be no less than ten (10) acres per lot created. Lots created under the Spinoff Subdivision process have the following characteristics:

- (1) Lots created by spinoff subdivision may not be further subdivided, although boundary line adjustment between lots created by spinoff subdivision is permitted so long as no resulting lot is less than two (2) acres in size. The record plat and initial deed of conveyance after establishment of a spinoff subdivision shall contain a statement to this effect.
- (2) One or more additional lots may be created by a spinoff subdivision, at one time or in a series of subdivisions, up to the total base density derived from the Parent Tract.
- (3) Density utilized to create any spinoff subdivision lot shall be charged against the Parent Tract. The subdivision record plat for a spinoff subdivision shall contain a tabulation of density, showing at a minimum the density originally assigned to the Parent Tract, all prior subdivisions from the Parent Tract and the density charged against the Parent Tract at ten (10) acres per lot created, and the minimum lot size below which the Parent Tract cannot be subdivided.
- (4) The Parent Tract remains eligible for further simple subdivision, spinoff subdivision, or cluster subdivision, so long as the requirements for such subdivisions are met and the number of lots remaining available to the parent tract is not exceeded.
- (5) Homeowners Association ("HOA") is permitted but not required for a spinoff subdivision.

- (6) No open space easement on either the Parent Tract or any spinoff lot is required, and no minimum open space requirements must be met, for a spinoff subdivision.
- (7) Each lot created pursuant to a spinoff subdivision shall be served by on site well and septic. Communal water and sewer systems are not permitted in spinoff subdivisions.

2-105 AR-1 Cluster Option. At the option of the landowner, lands in the AR-1 district may be developed pursuant to the procedures and requirements of the AR District Cluster Option (Section 5-703).

~~2-105 forty4 where septic fields is located outside the lot served; (ii) HOA ownership of common areas and (iii), including conservancy lots, cluster in cluster subdivision Three 3T shall and Utility Requirements.~~

~~(A) Water. Development shall be served either by individual wells or communal water supply systems. Individual wells or communal water supply systems may be located within the Rural Economy Conservation Lands consistent with the standards of Section 6-2005.~~

~~(B) Wastewater. Development shall be served either by communal sewer systems or by septic systems. Communal sewer systems or septic systems may be located within the Rural Economy Conservation Lands consistent with the standards of Section 6-2005.~~